

**KNI-162-A**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Akedo et al.  
 Serial Number: 10/070,104  
 Filed: 19 February 2002  
 Group Art Unit: Unknown  
 Examiner: Unknown  
 Confirmation Number: 9552  
 Title: COMPOSITE STRUCTURE AND METHOD AND  
 APPARATUS FOR FORMING THE SAME

**RESPONSE AND OBJECTION TO ERRONEOUS NOTIFICATION  
 OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

Attention: Box PCT  
 Commissioner For Patents  
 Washington, D.C. 20231

Sir:

The Notification Of Missing Requirements under 35 U.S.C. 371 dated 07 May 2002 incorrectly states that a proper declaration has not been submitted for the referenced application. The notice further incorrectly states that a late surcharge of \$130.00 is now due.

Applicant respectfully objects to the requirement to file another declaration, and to the requirement to pay an unwarranted late surcharge, based on the following:

Applicant respectfully submits that two (2) original, signed declaration documents were filed concurrently with the application on 19 February 2002. Both declaration documents reference the same invention and the same Japanese and International priorities. One declaration document was prepared for and signed by the inventor residing in Ibaraki, Japan; another declaration document was prepared for and signed by the six inventors residing in Fukuoka, Japan. Between the two (2) documents, all seven (7) inventors were named and all seven (7) inventors' signatures were included. Thus, all inventors have executed a declaration of inventorship, as required under 37 CFR §1.497.

Enclosed are reduced copies of both signed declaration documents, and an enlarged copy

of the return receipt postcard acknowledging receipt of "Original Signed Declaration Documents" (emphasis added) at the United States Patent And Trademark Office effective 19 February 2002.

Because properly-executed declarations of inventorship for all inventors in the referenced case were filed by the applicant, and were timely received in the U.S. Patent Office concurrently with the application, applicant respectfully submits that no surcharge for late filing of same is now due. Applicant therefore requests reconsideration and withdrawal of the erroneous Notification Of Missing Requirements for the above-identified application.

Enclosed is a copy of the Notification Of Missing Requirements as required.

Favorable reconsideration is respectfully requested.

Sincerely,



William D. Blackman  
Attorney for Applicant  
Registration No. 32,397  
(248) 344-4422

Customer Number 21828  
Carrier, Blackman & Associates, P.C.  
24101 Novi Road, Suite 100  
Novi, Michigan 48375  
14 May 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Attention: Box PCT, Commissioner For Patents, Washington, D.C. 20231 on 14 May 2002.

Dated: 14 May 2002  
WDB/km/*eb*  
enclosures



Kathryn MacKenzie



(日本語官言書)

I hereby claim foreign priority under TIE 35, United States Code, Section 119 (3)-(4) or 351(a) of any foreign application(s) for patent or inventor's certificate, or 351(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

外国での先行出版  
JCT / 1999 / 07

International

— 9 —

(Country)

(Days/Month/Year F)  
(11/11/17)

•

Japan :

12 October 1999

• • • • •

(Country)

(Day/Month/Year)

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I hereby claim the benefit under Title 35, United States Code, Section 103(a) of any United States provisional application(s) listed below:

(Application No.) (出願番号)	(Filing Date) (出願日)
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hereby check the box(es) after Title 38, United States Code, Section 123 of any United States application, or 38 USC 123 of any PCT International application designating the United States, but, before and, together as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application to the extent provided by the last paragraph of Title 38, United States Code Section 123. I acknowledge the duty to disclose information which is material to patentability as defined in Title 38, Code of Federal Regulations, Section 1.56 which becomes incumbent on me when the filing date of this application and the earliest or PCT International filing date of such application.

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(日本語官音)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number):

Joseph P. Carrier, Reg. No. 31,748; William D. Blackman, Reg. No. 32,397

吉野松竹栄

**Send Correspondence to:**

CARRIER, BLACKMAN & ASSOCIATES, P.C.  
24101 NOVI ROAD, SUITE 100  
NOVI, MICHIGAN 48375

可檢閱該遺失者： (名稱及電話號碼)

**Direct Telephone Calls to:** **Owner and telephone number:**

JOSEPH P. CARRIER  
248-344-4422

唯一宗旨是救第一窮苦者

Full names of note or first initials

発行者の姓名	日付	Yokokatsu ITO Sender's signature <i>Yokokatsu Ito</i>	Date <i>Dec. 3, 1900</i>
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国籍		Citizenship Japanese	
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第二共同発行者		Full name of second joint issuer, if any Tatsuro YOKOTAMA	
第二共同発行者	日付	Second issuer's signature <i>Tatsuro Yokotama</i>	Date <i>Dec. 3, 1900</i>
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(第三以降の共同発明者についても同様に記載し、署名をすること) (Supply similar information and signature for third and subsequent joint inventors.)

(第六またはそれ以降の共同発明者に対しても同様な 報および署名を提供すること。)

(第八またはそれ以降の共同発明者に対しても同様な情報および署名を提供すること。

Applicant: Akedo et al.

Docket: KUI-162-A

Serial No. Unknown For Composite Structure and Method and Apparatus  
Forming the Same

Please date stamp, indicate serial number, and return this  
Card to acknowledge receipt of:

- Application Transmitted under 35 USC 371 with:

- Application data sheet with:
  - Certificate of mailing
  - Notification of the Recording Office
  - Copies of PCT documents
- Specifications, claims, abstract, drawings & photographs
- Original signed Declaration Documents
- Preliminary Amendment A with:
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  - Marked up and corrected specifications and claims
- Transmittal of Assignment with:
  - Certificate of mailing
  - Recordation form Cover Sheet (2 pages)
- Original signed Assignment document (4 pages)
- Information Disclosure Statement with:
  - Certificate of mailing
  - Form PTO/SB/08A
  - Listed references

10/070104

JC10 Rec'd PCT/PTO 19 FEB 2002

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UNITED STATES PATENT AND TRADEMARK OFFICE

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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,104	Akedo	KNI-162-A

INTERNATIONAL APPLICATION NO.
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PCT/JP00/07076

I.A. FILING DATE	PRIORITY DATE
10/12/2000	10/12/1999

21828  
 CARRIER BLACKMAN AND ASSOCIATES  
 24101 NOVI ROAD  
 SUITE 100  
 NOVI, MI 48375

CONFIRMATION NO. 9552

371 FORMALITIES LETTER



\*OC000000008017689\*

Date Mailed: 05/07/2002

RECEIVED MAY 13 2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - All the inventors must be identified on all the declarations.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR**

RECEIVED  
JUN 05 2002  
USPTO MAIL CENTER

**CARRIER, BLACKMAN  
& ASSOCIATES  
24101 NOVI ROAD #100  
NOVI, MICHIGAN 48375**

DOCUMENT PROCESSING  
BRANCH  
JUN 10 2002

JCO9 Rec'd PCT/PTO 05 JUN 2002

10/070, 104

